

**From:** [Berg, Marlene](#)  
**To:** [Moran, Gloria](#)  
**Cc:** [Tzhone, Stephen](#)  
**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION - REPLY  
**Date:** Thursday, March 26, 2015 5:35:52 PM

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Thanks, Gloria.  
This is really helpful.  
Marlene

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**From:** Moran, Gloria  
**Sent:** Thursday, March 26, 2015 6:21 PM  
**To:** Berg, Marlene  
**Cc:** Tzhone, Stephen  
**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION - REPLY

Hi Marlene:

Please don't be embarrassed. I offered to assist you in this endeavor.

For the three email types that you suggest:

- An email solely containing an attachment of a letter from McKesson to Region 6
- An email solely containing an attachment of a letter from Region 6 to McKesson.
- An email solely containing an attachment of a letter from ADEQ to Region 6.

Each is releasable in full because the sender (examples 1 and 3 above) and recipient (example 2 above) of the transmitted letter are outside of the federal families and therefore no exemption applies. (Of course, this assumes that the letters do not contain CBI that would be designated contract confidential or a claim of confidential business by the submitter of the information - Exemption 4 . Or, that the letters do not contain personal privacy information such as residents' names, addresses, telephone numbers; and financial information which would cause the disclosure of SSNs, birthdates, bank records, et al - Exemption 6).

Let me know if this is helpful, and I whether I can be of additional help to you.

*Gloria Moran*

Assistant Regional Counsel (6RC-S)

Superfund Branch

U.S. Environmental Protection Agency, Region 6



9595606

1445 Ross Avenue

Dallas, Texas 75202

214-665-3193 (phone)

214-665-6460 (fax)

[moran.gloria-small@epa.gov](mailto:moran.gloria-small@epa.gov)

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**From:** Berg, Marlene

**Sent:** Thursday, March 26, 2015 4:59 PM

**To:** Moran, Gloria

**Cc:** Tzhone, Stephen

**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION

Gloria,

I'm embarrassed in that I had a few more questions and should have sent all to you at once.

On one hand, an email that solely contains an attached letter from McKesson to the Grishams is certainly releasable.

I did want to pass by you the following:

- An email solely containing an attachment of a letter from McKesson to Region 6
- An email solely containing an attachment of a letter from Region 6 to McKesson.
- An email solely containing an attachment of a letter from ADEQ to Region 6.

Thanks

Marlene

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**From:** Moran, Gloria

**Sent:** Thursday, March 26, 2015 12:13 PM

**To:** Berg, Marlene

**Cc:** Tzhone, Stephen

**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION

You are welcome.

*Gloria Moran*

Assistant Regional Counsel (6RC-S)

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[moran.gloria-small@epa.gov](mailto:moran.gloria-small@epa.gov)

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**From:** Berg, Marlene

**Sent:** Thursday, March 26, 2015 11:11 AM

**To:** Moran, Gloria

**Cc:** Tzhone, Stephen

**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION

Thanks, Gloria

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**From:** Moran, Gloria

**Sent:** Thursday, March 26, 2015 12:08 PM

**To:** Berg, Marlene

**Cc:** Tzhone, Stephen

**Subject:** RE: Arkwood update - FOIA Question - SECOND EMAIL WITH CORRECTION

**Importance:** High

Hello Marlene:

I apologize for not scrolling down to see the email that you referenced in your email of yesterday. Yes, the email from Stephen Tzhone to addressees dated December 8, 2014 is releasable. The addressees in the December 8, 2014 email include ADEQ personnel.

Let me know if you need anything else.

Thank you,

*Gloria Moran*

Assistant Regional Counsel (6RC-S)

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**From:** Moran, Gloria

**Sent:** Thursday, March 26, 2015 11:02 AM

**To:** Berg, Marlene

**Cc:** Tzhone, Stephen

**Subject:** RE: Arkwood update - FOIA Question - REPLY

Hi Marlene:

I have conferred with Stephen Tzhone about the Daily Field Summary Report dated 1/17/14 that attached to your email of March 25, 2015 and that you characterize as a weekly report. According to Mr. Tzhone, the 11/17/14 report has been released to ADEQ. It is therefore releasable under FOIA. You reference in your email of yesterday an email, likely an associated email with this report, that was not attached for my review.

Without specific information about the associated email, I am unable to offer an opinion on whether it is releasable.

Thank you,

*Gloria Moran*

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**From:** Berg, Marlene  
**Sent:** Wednesday, March 25, 2015 5:41 PM  
**To:** Moran, Gloria; Tzhone, Stephen  
**Subject:** FW: Arkwood update - FOIA Question

Gloria,  
I have finally (!) received my FOIA email search from our contractor (I was able to get an extension).  
Most of the emails are deliberative, but I did have a question.

Did both PRPs get a copy of the attached weekly report, such that this email is releasable?  
Marlene

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**From:** Berg, Marlene  
**Sent:** Thursday, December 11, 2014 3:20 PM  
**To:** Bartenfelder, David  
**Subject:** FW: Arkwood update

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**From:** Tzhone, Stephen  
**Sent:** Monday, December 08, 2014 1:20 PM  
**To:** Rauscher, Jon; Khoury, Ghassan; Berg, Marlene; Crumbling, Deana; Poore, Christine; Huling, Scott; [kdbecher@usgs.gov](mailto:kdbecher@usgs.gov); Telisak, Theodore; Moix, Mark; Lyke, Jennifer; Moran, Gloria; Andrews, Lawrence  
**Cc:** Sanchez, Carlos; Meyer, John; Villarreal, Chris  
**Subject:** Arkwood update

Hi Arkwood Team,

Dye tracing began November 17 and will end ~first week of January.

Attached is the field oversight report with photos, etc.

Thanks,

Stephen L. Tzhone  
Superfund Remedial Project Manager  
214.665.8409  
[tzhone.stephen@epa.gov](mailto:tzhone.stephen@epa.gov)